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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,468	01/26/2001	Daniel John Lloyd-Jones	169.1984	5465

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EXAMINER

HUYNH, BA

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 06/28/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/769,468

Applicant(s)

LLOYD-JONES ET AL.

Examiner

Ba Huynh

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Allowable Subject Matter

1. The indicated allowability of claim 3 and 11 is withdrawn in view of the newly discovered reference(s) to Liou et al (US patent #6,580,437). Rejections based on the newly cited reference(s) follow.

Response to Amendment

2. The amendment filed 4/1/04 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: "magnifies hidden content - by flagging the presence of collapsed content in unexpanded scenes (i.e. shows the user via flags on the unexpanded keyframes that clips are hidden in scenes that are not expanded)". In computer word, a flag can be a code, embedded in data, that identifies some condition, or it can be one or more bits set internally by hardware or software to indicate an event of some type, such as an error.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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4. Claims 2, 6, and 10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The applicants failed to provide a supporting detailed description of the now claimed limitation "flagging presence of undisplayed data..." as recited in the claims. In computer word, a flag can be a code, embedded in data, that identifies some condition, or it can be one or more bits set internally by hardware or software to indicate an event of some type, such as an error.

Claim Rejections - 35 USC § 102

5. Claims 1, 2, 4-6, 9-10, 12 are rejected under 35 U.S.C. 102(e) as being anticipated by, or in an alternative, being obvious over US patent #6580,437 (Liou et al).

- As for claims 1, 5, 9: Liou et al teach a computer implemented method and corresponding system for browsing video data, the data being organized hierarchically in a tree structure having plurality of node representing different levels of information (figures 5, 6), each node having includes multiple frames represented by a keyframe (5:9-11). The user interacts with the tree to visualize different levels of information associated with a selected keyframe (5:23-25). The tree of figure 5 presents at least two levels of information while the tree of figure 6 presents at least 5 level of information, indicated by its indentation. Adjacent to each parent level is a circle. A white circle associated with a keyframe appears to indicate a collapsed mode. A darken circle appears to indicate an expanded mode. It appears in the tree of figure 5 that the user can select to expand or

collapse different portions of the tree. Even if it is not, implementation of a tree interface with expand and collapse mode is well known in the art. It would have been obvious to one of skill in the art to combine the well known implementation of expand and collapse modes of tree interface to Liou et al. Motivation of the implementation for providing a visual presentation of different levels of the tree and for the ease of navigation between levels of the tree. Collapse mode is being equated to the parent mode wherein all circles appear white and only keyframes of a selected parent level are displayed. Thus in figure 5 all circles will be white and the three indented shot frames will not be displayed. The expand mode being equated to the parent and child mode wherein a selected parent keyframe (indicated by a darken circle) is displayed together with its child keyframes. A selected node is magnified for video player (figure 9).

- As for claims 2, 6, 10: The white and darken circles indicate the presence of undisplayed or displayed data respectively.
- As for claims 3 and 11: Since the frames in each node are associated with corresponding duration and can be selected independently, each can be selected to display in a first time interval, a second time interval, a third time interval, a fourth time interval, etc...
- As for claims 4, 12: Each keyframe comprises text and/or image data (figure 6).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 7, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent #6,327,420 (Furukawa).

- As for claims 7, 8: Liou et al fail to teach the radial orientation of the hierarchy level representation, however implementation of a radial menu is well known in the art of menu interface (see the cited references). It would have been obvious to one of skill in the art, at the time the invention was made, to combine the well known implementation of radial menu to Liou et al for displaying the representation of the video level hierarchy. Motivation of the implementation is for reducing cursor movement. The radial menu automatically adjustable to linearly translate the menu hierarchy thereby effecting a change in the radial orientation of the menus (see for example, US patent '987 and '837).

Response to Arguments

8. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (703) 305-9794. The examiner can normally be reached on Mon - Fri.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800.

Ba Huynh
Primary Examiner
AU 2173
6/16/04

BA HUYNH
PRIMARY EXAMINER